



# City Council Agenda

Council President  
**Chris Mathys**

Council Members

**Garry Bredefeld**  
**Mike Briggs**, Acting President  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquill**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cant Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, SEPTEMBER 15, 1998**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON [WWW.CI.FRESNO.CA.US](http://WWW.CI.FRESNO.CA.US))**

## **9:00 A.M. Roll Call**

Invocation by Capt. Jerry Dyer of the Fresno Police Department - Southeast Command

Pledge of Allegiance to the Flag

Award presentation to students from Steinbeck Elementary School - Council President Mathys

Presentation of \$350.00 check by Department of Public Utilities to Tree Fresno

Proclamation of "UNITED STATES NAVAL SEA CADET CORPS MONTH"

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN**

**WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

**Approve Council minutes of August 25, 1998**

**Action Taken:**

**Approve Joint Powers Financing Authority minutes of August 25, 1998**

**Action Taken:**

**Approve Agenda**

**Action Taken:**

**Adopt Consent Calendar**

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS**

### **8:30 A.M.     CLOSED SESSION**

**A.     CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)**

**1.     Case Name:**

- a.**     County vs. City vs. County (Parking Fines Case), Sup. Ct. No. 502123-3; CA#5-5872
- b.**     City vs. County vs. City (AB 1290), Sup. Ct. No. 545904-5; CA#16-7213
- c.**     County vs. City vs. County (CSA 48), Sup. Ct. No. 560663-7; CA# 16-7283
- d.**     County vs. City (Roeding Park II), Sup. Ct. No. 571200-5; CA#16-7328
- e.**     County vs. City (Roeding Park III), Sup. Ct. No. 573647-5; 4-7341

**Action Taken:**

**2.     Case Name: Casillas, Jesus & Maria v. City of Fresno, et al.**

**Action Taken:**

**B.     CONFERENCE WITH LEGAL COUNSEL - THREATENED LITIGATION - Government Code Section 54956.9, Subdivision (b)**

**Significant Exposure to Litigation:**

- 1.     Linda Boudreau v. City of Fresno**

**Action Taken:**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

**8:30 A.M.     JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY**

- 1.     CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - Government Code    Section 54956.8

**Property:**     Bounded by Tulare, Broadway/"H" and Inyo Streets and the Fulton/Broadway alley (proposed multipurpose/baseball stadium site)

**Negotiating**

**Parties:**     City of Fresno, Redevelopment Agency of the City of Fresno, County of Fresno, Fresno Diamond Group, Fresno Grizzlies

**Under**

**Negotiation:**   Terms of sale of land, security interests and deed of trust

**Action Taken:**

- 2.     CONFERENCE WITH LEGAL COUNSEL, DECIDING WHETHER TO INITIATE LITIGATION** - Government Code Section 54956.9, Subdivision (c)

**a.     Case Name:**   City of Fresno, et al. v. All Persons Interested (Validation action regarding proposed grant and financing for multipurpose/baseball stadium.)

**Action Taken:**

**8:45 A.M.     JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of August 25, 1998

**Action Taken:**

- A.     HEARING** to consider approval of a Lease Agreement between the Redevelopment Agency and the Fresno Unified School District for an Agency-owned parking lot, property bounded by Tulare, "O", Main and "N" Streets

**Action Taken:**

**GENERAL CONSENT CALENDAR:**

- B.     Approval** of matters necessary to proceed with the processing of the proposed amendments to the Southwest Fresno General Neighborhood Renewal Area Urban Renewal Plan and the Fruit/Church Redevelopment Plan - Merger Project No. 2

**Action Taken:**

- 1.     RESOLUTION** - Receiving and adopting the report to Council and submitting the report to the City Council (**Agency action**)

**Action Taken:**

- 2.     RESOLUTION** - Consenting to a joint public hearing date for consideration of the proposed redevelopment plan amendments and associated documents (**Council and Agency action**)

**Action Taken:**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

**8:45 A.M.     JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED**

**GENERAL CONSENT CALENDAR CONTINUED:**

- C.     Accept transfer of two City-owned parcels of real estate within the Kearney Palms Shopping Center site to the Redevelopment Agency (APN's 465-173-01T and 467-104-11T)  
**Action Taken:**

**ADJOURN AGENCY**

**9:50 A.M.     State of Historic Preservation Annual Report**

**Action Taken:**

- a.     Presentation of Proclamation of "GLORIA & DEAN CHAMBERS DAY" - Councilmember Ronquillo  
**Action Taken:**

**10:00 A.M.     HEARING** to consider Rezoning Application No. R-98-20 and environmental findings, filed by FGV, LLC, a Delaware Limited Liability Corporation, for 4.96 acres located on the northside of Shaw Avenue between N. Palm and N. Wishon Avenues (adjoining Figarden Village Shopping Center to the east)

**Action Taken:**

- a.     **BILL** - Amending the Official Zone Map from the C-P and P Zone Districts to the C-3/cz Zone District (with conditions)  
**Action Taken:**

**10:30 A.M.     HEARING** to consider Plan Amendment Application No. A-98-07, Rezoning Application No. R-98-09 and environmental findings, filed by Land Dynamics, for approximately 21.5 acres of real property located northwest of the W. Barstow Avenue and Freeway 99 alignments

**Action Taken:**

- a.     **RESOLUTION** - Amending the West Area Community Plan (west portion of the 1975 Bullard Community Plan) from medium density residential and light industrial uses to medium-high density residential uses  
**Action Taken:**
- b.     **BILL** - Amending the Official Zone Map from the AE-5/UGM Zone District to the R-2/UGM/cz Zone District (with conditions)  
**Action Taken:**

**10:45 A.M.     Consider amendments to the Fresno City Employees Health and Welfare Trust relating to appointments by City and arbitration procedures - Councilmember Quintero  
( Council action to override Mayoral veto: Requires 5 votes)  
**Action Taken:****

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

- 11:00 A.M.**    **HEARING** to consider Plan Amendment Application No. A-98-014, filed by the City of Fresno Development Director for modifications to the noise contours for the Sierra Sky Park Airport as shown in the Sierra Sky Park Land Use Policy Plan and the Bullard Community Plan  
**Action Taken:**  
a.        **RESOLUTION** - Amending the Sierra Sky Park Land Use Policy Plan and the Bullard Community Plan  
**Action Taken:**
- 11:30 A.M.**    **HEARING** on Rezoning Application No. R-98-17, filed by Velma Dyck for 4.6 acres on the northeast corner of N. Mariposa and E. Herndon Avenues and the southwest corner of E. Fir and N. Mariposa Avenues  
**Action Taken:**  
a.        **BILL** - Amending the Official Zone Map from the R-A/UGM and AE-5/UGM to the C-P/EA/UGM Zone District  
**Action Taken:**
- 11:45 A.M.**    Appearance by Kurt D. Saindon of Community Help, Abduction Searches, Education, Recover Services (C.H.A.S.E.R.S.), requesting the City of Fresno set up a missing children's fund  
**Action Taken:**
- 2:00 P.M.#1**    **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**
- 2:30 P.M.**        **CONTINUED HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation No. 7  
**Action Taken:**  
a.        **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax  
**Action Taken:**  
b.        **RESOLUTION** - Calling a special mailed-ballot election  
**Action Taken:**  
c.        **RESOLUTION** - Declaring election results  
**Action Taken:**  
\* d.      **BILL** - Levying a special tax for the property tax year 1999-2000 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 7 City of Fresno  
**Action Taken:**
- 3:00 P.M. \***    **BILL** - Adding Article 9 of Chapter 9 to the Fresno Municipal Code regarding management of real property (**for introduction**)  
**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

**5:30 P.M. HEARING** to consider a resolution of public use and necessity for acquisition of easements for construction of the Grantland Trunk Sewer

**Action Taken:**

- \* a. **RESOLUTION** - Determining that the public interest and necessity require the construction of the Grantland Avenue Trunk Sewer Project, and the acquisition of permanent and temporary construction easements within or contiguous to the Grantland Avenue right-of-way between Herndon and Jensen Avenues

**Action Taken:**

**5:45 P.M. JOINT MEETING** with the Planning Commission

- a. Methods to improve communication between the City Council and Planning Commission
- b. The Planning Commission's role in the General Plan Update
- c. Pending joint meetings with local planning commissions
- d. Methods to encourage more infill development
- e. Comprehensive Zoning Ordinance update
- f. City policy related to new stop signs and speed bumps
- g. Front yard fence standards
- h. Methods to improve youth activities
- i. Tower District parking study
- j. Other issues

**Action Taken:**

**1A. GENERAL CONSENT CALENDAR:**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)**

- \* 1. **RESOLUTION** - 17<sup>th</sup> amendment to AAR No. 98-159 appropriating \$12,900 for development fees related to the Tower District Specific Plan on Olive Avenue between Palm and Fruit to redesignate from residential use to commercial use **(Requires 5 affirmative votes)**

**Action Taken:**

- \* 2. **RESOLUTION** - 18th amendment to AAR No. 98-159 appropriating \$5,000 to provide landscape maintenance for the AH-1 Basin dog park **(Requires 5 affirmative votes)**

**Action Taken:**

- 3. Proposed appointment of Sharon Levy to the Fresno Workforce Development Board - Councilmember Briggs **(for introduction)**

**Action Taken:**

- 4. Approve the Department of the Army Corp of Engineers Lease No. DACA05-5-98-119 (California Air National Guard Base, Fresno Yosemite International Airport)

**Action Taken:**

**1A. GENERAL CONSENT CALENDAR CONTINUED**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

5. Award a contract for installation of a 12" water main in West and Jensen Avenues  
**Action Taken:**
6. Award a contract for installation of an 8" water main in W. Bullard, W. Morris, W. Celeste and W. Roberts Avenue  
**Action Taken:**
7. Award a contract to Laidlaw Transit Services, Inc. to provide handy ride (Paratransit) service to the City of Fresno and authorize the Transit General Manager to execute contracts on behalf of the City  
**Action Taken:**
8. Award a requirements contract for water de-ionizing systems  
**Action Taken:**
9. Authorize the Public Utilities Director to enter into an agreement with Fresno County to participate in the Permit Consolidation Zone  
**Action Taken:**
  - a. **RESOLUTION** - Authorizing the Department of Public Utilities to augment permitting procedures and collaborate in the Fresno County Permit Consolidation Zone Pilot Program  
**Action Taken:**
10. **RESOLUTION** - Approving the application for grant funds for the Local Agency Grant Program - Fiscal Year 1999-2000 Under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for construction of the MacMichael Loop Trail Section of the San Joaquin River Parkway - Lewis S. Eaton Trail  
**Action Taken:**
11. **RESOLUTION** - Approving the filing of an application for grant funds for the Environmental Enhancement and Mitigation Program under the Section 164.56 of the Streets and Highways Code for the Belmont Avenue Median Islands Route 180 Freeway Urban Forestry Project  
**Action Taken:**
12. Authorize the submittal of application of California Department of Education for the FY 99 Year-Round Sack Lunch Program  
**Action Taken:**
13. Adopt Resolution of Intention No. 1016-D to vacate a portion of Calimyrna Avenue between Stanford Avenue and Brawley Avenue and setting the hearing at 10:40 a.m. on October 6, 1998  
**Action Taken:**

#### **1A. GENERAL CONSENT CALENDAR CONTINUED**

14. Approve transfer of two City parcels within the Kearney Palms Shopping Center Site to the

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Redevelopment Agency (APN's 465-173-01T and 467-104-11T)

**Action Taken:**

15. Approve Reimbursement Agreement with the County of Fresno for the Dry Creek Bridge on Kearney Boulevard

**Action Taken:**

16. **RESOLUTION** - Approving Final Map for Tract No. 4706, Phase II of Vesting Tentative Tract No. 4677/UGM 536, a 90-lot single-family residential subdivision with 3 outlots for open space purposes on 26.54 acres, located at the northeast corner of S. Armstrong Avenue and E. Kings Canyon Road

**Action Taken:**

- \* 17. **RESOLUTION** - 2<sup>nd</sup> amendment to PAR No. 98-160 for the purpose of accelerating the hiring date for certain police officer positions, fire fighter positions, lead worker position for Sewer Maintenance, and to add a communications technician II position to Electronics and Communications Division

**Action Taken:**

- \* a. **RESOLUTION** - 15<sup>th</sup> amendment to AAR No. 98-159 for the purpose of increasing appropriations for police officers funded one hundred percent (100%) with grant funds  
**(Requires 5 affirmative votes)**

**Action Taken:**

18. **ITEM REMOVED FROM AGENDA**

19. **Disadvantage Business Enterprise Program:**

- a. **RESOLUTION** - Establishing Disadvantaged Business Enterprise goals for construction contracts, procurements, professional and other services contracts that are federally funded, which overrides Resolution No. 97-190

**Action Taken:**

- b. **RESOLUTION** - Establishing an Outreach Program to small business enterprises for non-federal projects

**Action Taken:**

20. Approve Contract Change Order No. 4 with Vulcan Construction and Maintenance, Inc. for the requirements contract to replace polybutylene water services within the City of Fresno

**Action Taken:**

21. **RESOLUTION** - Endorsing work efforts of the California High Speed Rail Authority and Preferred High Speed Rail Corridor Alignment

**Action Taken:**

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

- \*1. **BILL** - Repealing, adding and amending Sections of the Fresno Municipal Code relating to Convention Center Licenses

**Action Taken:**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**



2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- \* A. **BILL NO. B-75 (INTRO. 8/25/98)** - Amending Sections 6-1907, 6-1911 and adding Section 6-1913 to the Fresno Municipal Code relating to "Tow Cars"

**Action Taken:**

- \* B. **BILL NO. B-76 (INTRO. 8/25/98)** - Amending the Fresno Municipal Code relating to cardroom ordinance allowing minors to enter premises for the purpose of dining, entertainment and satellite wagering

**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Consider addition to Council Rules and Protocol relating to Rule 16 (g) regarding timed items - Councilmember Briggs

**Action Taken:**

- B. Request report from staff relating to "O" Street closure and Adult School status - Councilmember Ronquillo

**Action Taken:**

- C. Report from staff relating to discontinuing the Green Waste Pilot Program in District 5 immediately and return to the existing program and the use of a proposed program used in other cities - Councilmember Quintero

**Action Taken:**

- D. Direct staff to review and recommend receivership program for the City of Fresno of deteriorated and substandard housing (City of Oakland has similar program) - Councilmember Ronquillo

**Action Taken:**

5. **CITY COUNCIL CONTINUED**

- E. Direct City Attorney to review City contract with Tree Fresno and evaluate whether City's obligation to meet and confer or meet and consult was met and whether the contract falls within the scope of the Sideletter Agreement - Councilmember Perea

**Action Taken:**

1. Presentation by Local 39

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

**Action Taken:**

- F. RESOLUTION** - Opposing the 1998 Electric Utility Proposition (Local Government) - Councilmember Perea

**Action Taken:**

- G.** Update and direction to staff regarding discussions on proposed City grant to Fresno Diamond Group (FDG) regarding multipurpose/baseball stadium - Councilmember Briggs

**Action Taken:**

**6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

- 7. UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

**Sept. 22 - 9:30 A.M.**      **TEFRA HEARING** re: Park West Apartments

**Sept. 22 - 9:45 A.M.**      Presentation regarding the downtown lake - Councilmember Bredefeld

**Sept. 22 - 2:30 P.M.**      **HEARING** relating to City of Fresno Community Facility District No. 2, Annexation No. 8

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

- Sept. 22 - 5:30 P.M.** Direction to staff to conduct feasibility study for 4-way stop sign at Alluvial and Polk Avenues - Council President Mathys
- Sept. 29 - 10:30 A.M.** **HEARING** on P.A. No. A-98-07, Rezone Appl. No. R-98-030, filed by Educational Employees Credit Union
- Sept. 29 - 11:00 A.M.** **HEARING** re: P.A. No. A-98-013, Rezone Appl. No. R-98-015, filed by Donald Orosco
- Oct. 6 - 10:30 A.M.** **HEARING** re: vacation of a portion of Nees Avenue from Freeway 41 west to Poplar Avenue - R.I. 1015-D
- Oct. 6 - 10:40 A.M.** **HEARING** re: vacation of a portion of Calimyrna Avenue between Stanford and Brawley Avenues - R.I. 1016-D
- Oct. 6 - 5:30 P.M. CONTINUED HEARING** on consideration of bills relating to advertised structures (billboards)
- Oct. 20 - 10:00 A.M. Employee Service Awards Presentation and Reception**
- Oct. 20 - 5:30 P.M. JOINT HEARING WITH RDA** on Merger No. 2 and Certifying EIR No. 10125
- Oct. 27 - 9:00 A.M.** **Presentation of Employee P.R.I.D.E. Team Awards and Reception**
- Nov. 3 - ELECTION DAY - MEETING TO BE DETERMINED**
- Nov. 10 - 3:00 P.M.** Proposed text amendment dealing with the establishment of residential water rates - Council President Mathys

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**